

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

OTIS ELEVATOR COMPANY,**Plaintiff,**

v.

**LOCAL 4, INTERNATIONAL UNION
OF ELEVATOR CONSTRUCTORS,
et al.**

Defendants

FILED
IN CLERKS OFFICE

2004 NOV 24 P 3:54

Civil Action No.

U.S. DISTRICT COURT
DISTRICT OF MASS.

04^{CV} 124 93 RGS

AFFIDAVIT OF JOHN CAUGHEY

I, John Caughey, having been put on oath, depose and state as follows:

1. I am employed as a Territory Manager / Lead Supervisor for Otis Elevator Company ("Otis Elevator"). I have held this position for approximately ten (10) years. In this position I am responsible for service and maintenance of Otis elevators in the metropolitan Boston area.

2. On or about November 8, 2004, Otis Elevator terminated two (2) employees who were members of Local 4, International Union of Elevator Constructors ("Local 4"). The employees were terminated after being involved in an altercation.

3. On November 24, 2004, Local 4 sent a text message to all union employees and others on their Nextel telephones, urging them not to work any voluntary overtime over the Thanksgiving holiday weekend as a sign of solidarity with their union brothers. Along with the union employees, I also received this text message.

4. For several months two union employees have been scheduled to work at Boston University on November 26 and 27. Today, both employees informed me that they were unable to work on those dates.

5. I have been informed that Mike Langer, Business Manager for Local 4, told employees who have been scheduled to work over the Thanksgiving weekend at the Prudential

building in Boston that if they did work, they would be sorry.

Signed under the pains and penalties of perjury
this 24th day of November, 2004

s/John Caughey
John Caughey